

Prob 12BC-1A  
(Rev. 3/03)

**UNITED STATES DISTRICT COURT**  
**FOR THE**  
**SOUTHERN DISTRICT OF IOWA**  
**Request for Modifying the Conditions or Term of Supervision**  
**with Consent of the Offender**  
(Probation Form 49, Waiver of Hearing is Attached)

**Name of Offender:** David Robert Case Number: 3:06-cr-00576-001  
McMenemy

**Name of Sentencing Judicial Officer:** John A. Jarvey, U.S. District Judge

**Date of Original Sentence:** June 29, 2007

**Original Offense:** 18 U.S.C. § 844(I) & 2 - Arson

**Original Sentence:** 60 months imprisonment; 36 months supervised release

**Special Conditions:**  
1) Substance abuse testing/treatment;  
2) No taverns;  
3) Mental health evaluation/treatment;  
4) Restitution in the amount of \$263,252.98.

**Date Supervision Commenced:** January 20, 2011

**Date of Revocation Sentence:** September 19, 2012

**Revocation Sentence:** 3 months imprisonment; 24 months supervised release

**Date Supervision Re-commenced:** November 16, 2012

**Assistant U.S. Attorney:** Donald B. Allegro **Defense Attorney:** Federal Public Defender

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

**The defendant shall reside, participate and follow the rules of the residential reentry program as directed by the U.S. Probation Officer for up to 120 days.**

### CAUSE

The probation office is requesting the aforementioned modification because the offender is homeless. The probation office and offender believes the stability of the halfway house will aid in his success and reentry.

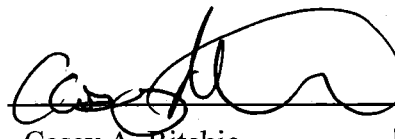
### Background Information:

On September 19, 2012, the offender's supervised release was revoked for failing to follow the instructions of the probation officer, leaving the district without permission, and failing to submit written monthly reports. Since his release, the offender has complied with his conditions of supervision.

The offender has signed the attached Waiver of Hearing agreeing to have his supervision conditions modified, as noted in the Petition.

Respectfully submitted,

By

A handwritten signature in black ink, appearing to read 'Casey A. Ritchie', is written over a horizontal line.

Casey A. Ritchie

U.S. Probation Officer

Date: December 17, 2012